IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8253 OF 2006

Dr.Kusum R.Agarwal, .. Petitioner.
Vs

1.Bharatchandra Jeram Thakker, .. Respondent.

Mr R.S.Tripathi, for the petitioner.
Mr P.K.Dhakephalkar i/b Mr D.C.Mehta & Associates, for respondent nos 1 and 2.

CORAM : **D.B.BHOSALE,J.**
DATE : 08/02/2007

PC:

1. Heard the learned counsel for the parties.

2. By this writ petition under Article 227 of the Constitution of India, the petitioner has impugned the order dated 10.11.2006, by which the objection raised by the petitioner-defendant regarding fresh examination of Dharamshi Tejpal Karia as a new witness, who was examined earlier as PW 2, has been rejected. I perused the order. For the reasons reflected in the order, I find absolutely no reason to interfere with the order impugned in this petition. However, the learned Judge, instead of treating the said witness as fresh witness, may allow further examination and cross as witness PW 2. With this observation, this writ petition is disposed of.

(D.B.BHOSALE,J.)